

ATTACHMENT A

Remarks

By this Amendment, the rejected claims have all been canceled, leaving only allowed claims. It is submitted that the present application is in condition for allowance for the following reasons.

Initially in the *Priority* section of the Detailed Action, the examiner acknowledged applicant's claim for priority, but stated that "applicant had not filed a certified copy" as required. This statement is obviously made in error, as:

- the certified copy was filed on June 14, 2004;
- receipt of the certified copy was acknowledged in the Office Action of 11/10/2005; and
- evidence of the filing of the certified copy on June 14, 2004 is present in PAIR (see "Artifact sheet indicating an item has been filed which cannot be scanned", the designation used for a bound certified copy).

Therefore, an acknowledgement that this statement was made in error, or a clarification of why the statement was made in view of the submission, is solicited in the next action.

In the following *Claim Rejections - 35 USC § 102* section, independent claims 5 and 6 were rejected under 35 USC § 102 as being anticipated by the newly examiner cited Bailey '860 patent. In the subsequent *Allowed Subject Matter* section, it was indicated that claims 8, 9 and 11 dependent from claim 5 and claim 29 dependent from claim 6 contained allowable subject matter.

In response to the art rejection and indication of allowable subject matter, it will be appreciated that:

- independent claim 5 has been canceled, while dependent claims 8, 9 and 11 have been rewritten in independent form to make them - and claim 31 dependent from claim 8 and claim 32 dependent form claim 9 - allowable; and
- independent 6 has been revised to include the subject matter of allowed claim 29 (now canceled).

In view of these amendments, all claims in the application are now allowable.

Therefore, the present application is in condition for immediate allowance and such action is solicited.